

### REMARKS-General

The newly drafted independent claims 29 and 32 incorporate all structural limitations of the original claims 1 and 13 and include further limitations previously brought forth in the disclosure. No new matter has been included. All new claims 29-34 are submitted to be of sufficient clarity and detail to enable a person of average skill in the art to make and use the instant invention, so as to be pursuant to 35 USC 112.

According to the restriction requirement in the Office Action dated 03/24/2005, the applicant choose Group III as the elected single disclosed species including the structure of the docking frame comprising a retractable utility table and a dolly frame having wheel assemblies and dolly handle. All new claims 29-34 include the structure of the docking frame comprising a retractable utility table and a dolly frame having wheel assemblies and dolly handle. Accordingly, claims 2-4, 7-12, 14-16, 18-20, 22-24, and 26-28 are withdrawn in this application.

### Response to Rejection of Claims 1-3, 5-6, 13-15, and 17 under 35USC103

The Examiner rejected claims 1-3, 5-6, 13-15 and 17 over Cole (US 3,669,031) in view of Oltman (US 4,239,195), Braddock (US 5,778,953), and Ransom (US 6,672,348). Pursuant to 35 U.S.C. 103:

“(a) A patent may not be obtained thought the invention is **not identically** disclosed or described as set forth in **section 102 of this title**, if the **differences** between the subject matter sought to be patented and the prior art are such that the **subject matter as a whole would have been obvious** at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.”

In view of 35 U.S.C. 103(a), it is apparent that to be qualified as a prior art under 35USC103(a), the prior art must be cited under 35USC102(a)~(g) but the disclosure of the prior art and the invention are not identical and there are one or more differences between the subject matter sought to be patented and the prior art. In addition, such differences between the subject matter sought to be patented **as a whole** and the prior

art are obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

In other words, the differences between the subject matter sought to be patent as a whole of the instant invention and Cole which is qualified as prior art of the instant invention under 35USC102(b) are obvious in view of Oltman, Braddock, and Ransom at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

The applicant respectfully submits that in order to determine whether the differences between the subject matters sought to be patent as a whole of the instant invention and the primary prior art, Cole, are obvious in view of the supplemental cited arts, Oltman, Braddock, and Ransom, we have to identify all the differences between the claims of the instant inventions and Cole. The applicant respectfully identifies the differences between the claims of the instant invention and Cole as follows:

(a) In claims 29 and 32, “the docking socket has a **depth** corresponding to a height of a bottom portion of the cutting machine” is claimed for fittingly receiving the bottom portion of the cutting machine, wherein Cole merely teaches a support frame 12 having a top surface 14 to secure a power saw thereto without any mention of any socket receiving the bottom portion of the power saw. In other words, the power saw is mounted on the top surface 14 of the support frame 12 as shown in Fig. 1 of Cole. The applicant respectfully submits that the docking socket is formed within a boundary frame that the bottom portion of the cutting machine is fittingly received in the docking socket of the boundary frame so as to retain the cutting machine in position.

(b) In claims 29 and 32, “the four side edges of the main frame is supported on the boundary frame” is claimed to support the cutting head of the cutting machine above the docking station, wherein Cole merely teaches a bottom side of the power saw places on the top surface of the support frame without any mention of any docking socket receiving the bottom portion of the power saw that the main frame is positioned right above the boundary frame.

(c) In claims 29 and 32, “a plurality of **locking members** and a plurality of **locker arms**” is claimed to detachably lock up the cutting machine at the boundary frame, wherein Cole does not teach any locking member or locker arm to secure the

power saw on the support frame at a position that the bottom portion of the power saw is locked within the docking socket.

(d) In claims 29 and 32, “a **retractable utility table** slidably mounted within the docking socket at a position below the bottom portion of the cutting machine” is claimed, wherein Cole merely teaches a sliding support 22 slidably extended from the work table 10. Accordingly, the sliding support 22 taught by Cole is used for supporting a lumber piece 35 to be cut by the power saw as shown in Fig. 1. The applicant respectfully submits that “utility table” means having a tabletop for allowing the user putting tools thereon which is not equivalent to a sliding support. The sliding support would not be considered as a table. In Fig. 2 of Cole illustrates the sliding support does not have any tabletop. In addition, the sliding support taught by Cole is considered parts of the power saw because the sliding support is used to support the lumber piece to be cut. In other words, without the sliding support to support the lumber piece, the power saw is unable to cut any lumber piece. Accordingly, the applicant respectfully submits that the retractable utility table, as mentioned in the specification page 8, lines 5 to 7, functions as an extra side working surface for the user to put the work pieces to be cut or after cut or accessories thereon for convenience. Therefore, even the retractable utility table is received at the storage position, the cutting machine can still be operated for cutting the work piece.

(e) Cole fails to teach and anticipate “a **utility tools box** mounted on a side of the boundary frame of the docking station for containing utility tools of the cutting machine” as claimed in claims 29 and 32.

(f) Cole fails to teach and anticipate “a **dolly frame** provided at the boundary frame” such that the docking station is pivotally lifted up via the dolly handle for carrying the cutting machine on the docking frame via the wheel assemblies. Cole merely teaches, in column 3, lines 44-47, the casters 49a, 49b mounted to the support frame to transport the support frame when the support frame is collapsed. It is apparent that Cole fails to teach the docking frame is able to transport the cutting machine when the cutting machine is mounted to the docking frame. In other words, the support frame of Cole is not a transportation tool for carrying the power saw. However, the dolly frame of the instant invention allows the docking frame to transport the cutting machine when the cutting machine is mounted to the docking frame.

(g) Cole cannot achieve the main objective of the instant invention that the docking frame provides an optimal auxiliary support for the **operation** and the **transportation** of the cutting machine, thus effectively compensating the inherent flexibility of the conventional cutting machines. Thus, the docking frame is incorporated with the cutting machine and comprises a **peripheral functional gear** for providing supplemental implement to the user during the course of machining process of the cutting machine, without needing the user to leave his/her working position. In other words, the peripheral functional gear is readily available for use by the user while he/she is machining. Cole merely teaches a collapsible work table adapted for supporting the power saw thereon and allowed to be individually carried without any mention of any peripheral functional gear and dolly frame to transport the power saw.

(h) Cole does not teach "each of the locker arms has a **lower pivot end** pivotally connected to the boundary frame and **an upper locker end** detachably engaged with the respective locking member for locking up the cutting machine with the docking station" as claimed in claims 30 and 33 in addition to what is claimed in claims 29 and 32 respectively as a whole.

(i) Cole does not teach "each of the locker arms comprises a **resilient arm** extended from the boundary frame to detachably engage with the locking member for providing a pulling force against the cutting machine so as to lock up the cutting machine with the docking station" as claimed in claims 31 and 34 in addition to what is claimed in claims 29 and 32 respectively as a whole.

Accordingly, the applicant respectfully submits that the locker device of the instant invention provides a fast locking operation to lock up the cutting machine at the docking frame. The user is able to fit the bottom portion of the cutting machine in the docking socket to retain the cutting machine in position and to couple the locker arm to the corresponding locking member to securely lock up the bottom portion of the cutting machine within the docking frame without using any tool. However, Cole is silent about how to quickly lock up the power saw on the support frame. It is worth to mention that since the bottom portion of the cutting machine is received in the docking socket, the bottom portion of the cutting machine is encircled by the boundary frame so as to prevent any unwanted lateral movement of the cutting machine with respect to the docking station.

Whether the claims 29 to 34 as amended of the instant invention are obvious depends on whether the above differences (a) to (i) between the instant invention and Cole are obvious in view of Oltman, Braddock, and Ransom at the time of the invention was made.

Furthermore, the applicant respectfully submits that when applying 35 USC 103, the following tenets of patent law must be adhered to:

- (a) The claimed invention must be considered as a whole;
- (b) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination;
- (c) The references must be viewed without the benefit of hindsight vision afforded by the claimed invention; and
- (d) Reasonable expectation of success is the standard with which obviousness is determined.

Also, "The mere fact that a reference could be modified to produce the patented invention would not make the modification obvious unless it is suggested by the prior art." Libbey-Owens-Ford v. BOC Group, 4 USPQ 2d 1097, 1103 (DCNJ 1987).

Oltman merely teaches a pocket assembly 30 mounted to the workbench to receive tools without any suggestion of how such pocket assembly 30 be possibly equipped the workbench which has a docking socket to receive a bottom portion of the cutting machine.

Braddock merely teaches an adjustable member 26 attached to a bottom side of the body 14 via the screw 28. Similarly, neither Cole nor Braddock suggests a docking frame containing the above distinctive features (a) to (i) as claimed in the instant invention as well as any combination or possibility of providing a locking member at the side edges of the main frame of the cutting machine and a locker arm at the boundary frame to securely lock up the bottom portion of the cutting frame within the docking socket of the docking station.

Ransom merely teaches a portable saw table for supporting a portable saw thereon without any mention of any docking socket to receive a bottom portion of the cutting machine so as to support the cutting head above the docking station.

“To prevent the use of hindsight based on the invention to defeat patentability of the invention, this court requires the examiner to show a motivation to combine the references that create the case of obviousness. In other words, the examiner must show reasons that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited art references for combination in the manner claimed... [T]he suggestion to combine requirement stands as a critical safeguard against hindsight analysis and rote application of the legal test for obviousness...” *In re Gorman*, 933 F.2d 982, 986, 18 USPQ 2d 1885, 1888 (Fed. Cir. 1991).

Accordingly, the applicant believes that neither Cole, Oltman, Braddock, nor Ransom, separately or in combination, suggest or make any mention whatsoever of the difference subject features (a) to (i) as claimed in the amended claims 29 to 34 of the instant invention.

Applicant believes that for all of the foregoing reasons, all of the claims are in condition for allowance and such action is respectfully requested.

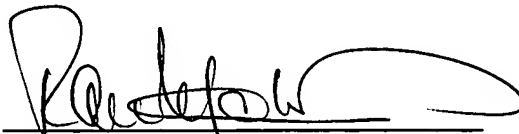
### **The Cited but Non-Applied References**

The cited but not relied upon references have been studied and are greatly appreciated, but are deemed to be less relevant than the relied upon references.

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of the objection are requested. Allowance of claims 29-34 at an early date is solicited.

Should the Examiner believe that anything further is needed in order to place the application in condition for allowance, he is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

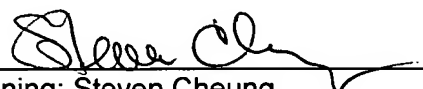


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#### CERTIFICATE OF MAILING

I hereby certify that this corresponding is being deposited with the United States Postal Service by First Class Mail, with sufficient postage, in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on the date below.

Date: 03/07/2006

Signature:   
Person Signing: Steven Cheung